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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
- v. - )  
 )  
RUSSELL ALLEN LYLES, JR., )  
 )  
Defendant. )

No. CR 08-00420 PJH

[PROPOSED] ORDER AND  
STIPULATION ADJOURNING JULY 30,  
2008 STATUS CONFERENCE TO  
AUGUST 6, 2008

Defendant Russell Allen Lyles, Jr., appeared before Magistrate Judge Maria-Elena James on July 16, 2008, at which Anthony Brass, Esq., withdrew as counsel and Alan Caplan, Esq., appeared as counsel of record, and at which Magistrate Judge Maria-Elena James scheduled a status conference before the District Court for July 30, 2008 at 1:30 p.m. and excluded time under the Speedy Trial Act until the July 30, 2008 date in the interests of justice. It is hereby found that:

1. On July 16, 2008, the Government made its initial production of discovery to Mr. Caplan, which was supplemented over the next eight days with additional materials.

2. Mr. Caplan has been reviewing the discovery and requires additional time to

assess the materials for the purpose of determining what motions, if any, the defendant will be filing. Mr. Caplan is also preparing a motion for submission to Magistrate Judge Bernard Zimmerman for re-consideration of Judge Zimmerman's decision to detain the defendant pending trial.

3. The parties have conferred and have requested that the July 30, 2008 status conference be adjourned one week until August 6, 2008, so that Mr. Caplan will have additional time to familiarize himself with this case, assess discovery, and prepare his detention motion.

4. The parties have also sought exclusion of the time from July 30, 2008 to August 6, 2008 under the Speedy Trial Act because the requested one-week adjournment is intended to ensure effective preparation of counsel, pursuant to 18 U.S.C. § 3161(h)(8)(A) and (B).

5. Accordingly, the Court hereby adjourns the pending status conference from July 30, 2008 until August 6, 2008 at 1:30 p.m., and excludes the time from July 30, 2008 until August 6, 2008 under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(8)(A) and (b).

IT IS SO STIPULATED.

DATED: July 25, 2008

/s/  
W.S. WILSON LEUNG  
Assistant United States Attorney

DATED: July 25, 2008

/s/  
 ALAN CAPLAN, ESQ.  
 Attorney for Defendant Russell Allen Lyles, Jr.

IT IS SO ORDERED.

DATED: July , 2008

HON. PHYLLIS J. HAMILTON  
United States District Judge